

The First Amendment, Brought To You By Pfizer

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Pfizer now claims the right of a corporate sovereign, arguing that states have “no legitimate interest in regulating” the company’s commercial speech while demanding the power to censor Americans’ newsfeeds.

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The call for pharmaceutical supremacy came in Pfizer's response to Texas Attorney General Ken Paxton's suit alleging that Pfizer committed fraud and "conspired to censor public discourse."

Pfizer embraces its merger with the state when convenient, arguing that it cannot be held liable for misleading the public on its Covid vaccine because the company "acted pursuant to its contract with the United States Government."

The court documents insist that the PREP Act, invoked by President Trump's Secretary of Health and Human Services Alex Azar, provides complete immunity for Pfizer's Covid products.

While the PREP Act prevents citizens injured by the company's vaccines from recovering money damages in court, it does not nullify state laws concerning fraud.

Pfizer's affinity for the state is reserved for the expansive legal favoritism awarded to Big Pharma, achieved through decades and billions of dollars in lobbying efforts.

The company insists that "The State of Texas has no legitimate interest in regulating Pfizer's truthful, non-misleading speech concerning the benefits of receiving the Covid-19 vaccine." Further, the brief calls Paxton's suit an "attempt to punish Pfizer for spreading truthful, FDA-approved information educating the public regarding the Covid-19 vaccine."

At no point, however, does Pfizer respond to Paxton's detailed allegations that the company's information was not truthful, but was instead a lucrative marketing campaign designed to "deceive the public."

The filing does not deny Paxton's detailed allegations that Pfizer "coerced social media platforms to silence prominent truth-tellers," including a former FDA Director, and "conspired to censor the vaccine's critics."

Pfizer Board Member Scott Gottlieb "persistently contacted senior persons at Twitter and...other social media platforms, in a clandestine effort to silence challengers to

Pfizer's deceptive scheme to promote sales and use of its vaccine products," including targeting doctors who touted natural immunity, according to Paxton's suit.

Further, Paxton alleges that Pfizer, led by CEO Albert Bourla, "affirmatively intimidated vaccine skeptics to perpetuate its scheme to confuse and deceive the public."

The company makes no attempt to refute these allegations. Instead, the brief cites its government contracts as *carte blanche* to take any actions related to Covid.

Pfizer thus not only claims to work in tandem with the State, but it asserts a sovereign power unshackled from the restraints of constitutional law. The First Amendment allows its executives to usurp citizens' freedom of speech but prevents prosecution of the company's lies, according to this theory.

This is an attempt to close one of the few existing (possible) legal avenues to hold pharmaceutical companies accountable. No doubt that the Biden administration, and all the kept federal agencies, will agree with this.

When the courts stop working to hold the powerful accountable, where are the victims to turn next? How can we claim to live in a representative democracy when its citizens' paths for the redress of wrongs are deliberately closed for the benefit of its most powerful institutions?

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